



**71st Student Senate
Judiciary Committee
Date 10/15/19**

Call to Order: 7:05 p.m.

Members Present: Chair Jacobsen, Vice Chair Leckie, Senators England, Gerdts, Latham, Mcauliffe

Members Tardy: None

Members Absent: Slimak, Fehringer, Weber

Guests: *Chairs Durham, Harris, and Harmon, Vice Chair Villacorta

Announcements:

- Chair - Welcome to Judiciary: remember to be nice to everyone
- Vice Chair - Good Luck to everyone
- Members -
 - Gerdts: constitutional amendments will be up, everyone should vote and look at the amendments, if you are in the group chat for his committee fill out the when to meet link
- Guests -
 - Villacorta: Sustainability meeting Friday at 5 SSB2115, Vice Chair elections
 - Cordek: Speaking in favor of bills union board has brought to senate, Union board only meets once a month, has a committee that suggests legislation, passing policy is a big deal to them, doing our best to work with position they are in
 - Anna Grace: working on legislative agenda, meeting on thursday to finalize it, will come to senate next week for first reading. Here to provide guidance on bill.

Committee Business:

- Bill 77 - Latham- -The Supreme Court has the power "To issue advisory opinions concerning student rights under the Student Body Constitution upon request of the Student Body President or any Senator.". The court has no guidance or restrictions on issuing advisory opinions. This bill would add advisory opinions to the time frame for issuing written opinions. Additionally, this would decrease the time allowed for written opinions to be published on election cases, to expedite the election process as the decision is made by the court during the proceedings.
- Bil 90- Jacobsen and Gerdts - This is a companion bill to two others being introduced on recommendation of the Ogelsby Union Board. The Union Board would like to ensure that

all candidates are fully aware of the responsibilities and commitment expected of each elected member.

- Bill 91- Fehringer - The Union Board would like to ensure that every candidate is aware of what duties and responsibilities they are running to do. The Union Board has voted in support of this bill and accompanying legislation pertaining to the Union Board Elections.
- Bill 92- Sandoval - Redefining major offices in student body statutes to reduce conflicts of interest between the branches of student government. Would affect most bureau and agency positions not covered currently by statutes such as WSU's director of administration which gets confirmed and would generally be considered the secretary of the agency (a current major office) but under a different name. It would also affect the Clerk of the Court for FSU's Supreme Court and reduce its status of major office. Students currently holding more than one major office at the time of this statute change will not be required to resign and may keep their positions to the end of their terms.
- Bill 97- Levin- Change to Chapter 206

Old Business:

- Bill 77 - Latham- -The Supreme Court has the power "To issue advisory opinions concerning student rights under the Student Body Constitution upon request of the Student Body President or any Senator.". The court has no guidance or restrictions on issuing advisory opinions. This bill would add advisory opinions to the time frame for issuing written opinions. Additionally, this would decrease the time allowed for written opinions to be published on election cases, to expedite the election process as the decision is made by the court during the proceedings.
 - Introduction: Latham: Josh Weber and I are sponsoring the bill, sat down with the Chief Justice last week and emailed him for the past few weeks, ended up changing it significantly, the time restraints are different based on Chief Justice's opinion, the proposed amendment to the bill will have cases heard within 5 days of the written appeal, the opinion will be within 5 business days. Feels confident in how the Supreme Court feels, not allowing for more than 3 weeks between elections and inauguration. Yields: 1:10
 - Round Table
 - Gerdts: **Moves to amend: Strikes sections 5021.A-C, adding 502.1A and 503** To change the time period between the written complaint and the hearing to 5 business days, and the time period between the hearing and the written opinion to 5 business days.
 - England: seconds
 - Alvarez: This isn't putting time restrictions on the publishing of advisory opinions?
 - Latham: no
 - Gerdts: The sponsors have listened to senate, moving to a new chapter makes it clear, making sure the supreme court gets to these issues
 - Closing: Latham: thank you for bearing with me, thank you for your help. Yield: 1:01
 - Voting
 - England: Yes
 - Gerdts: Yes
 - Latham: Yes
 - Leckie: Yes
 - Mcauliffe: Yes

■ Bill Passes

- Bil 90- Jacobsen and Gerdts - This is a companion bill to two others being introduced on recommendation of the Ogelsby Union Board. The Union Board would like to ensure that all candidates are fully aware of the responsibilities and commitment expected of each elected member.
 - Gerdts: The issues that the senate had with this bill was not about the content, only the order of the content. We will amend this and continue to support the Union Board. Yields 2:25
 - England moves to go into round table. Gerdts seconds.
 - **Gerdts moves to amend the bill so that there is more clarity provided in the memorandum of understanding in section I.** The current order of the sections makes it unclear as to who is responsible for the memorandum of understanding (702.4H switches with 702.4I). England seconds.
 - England moves for a non-senator to speak.
 - Alvarez: I don't think it was that big of a deal that these things are switched, but I do feel it offers more clarity. I think we should add the word "also" to the section.
 - England moves for a non-senator to speak. Jacobsen seconds.
 - Chelsea: With all due respect, the Union Board would have felt more support seeing this go through and pass. I understand why things went down this way; however, you hold the power to voice our opinions and we would have liked to have seen this go through.
 - **Gerdts moves to include the word "also" in 702.4I.**
 - Sponsor finds it friendly. England seconds.
 - Leckie: With that the amendment is adopted. If there are no more questions would anyone like to call the question?
 - England: So moved. Mcauliffe seconds.
 - Closing: Jacobsen: Thank you all for your comments. Thank you Chelsea for being here and speaking on behalf of Union Board. Yields 1:58
 - England: Yes
 - Gerdts: Yes
 - Jacobsen: Abstain
 - Latham: Yes
 - Mcauliffe: Yes
 - **Bill Passes**
- Bill 91- Fehringer - The Union Board would like to ensure that every candidate is aware of what duties and responsibilities they are running to do. The Union Board has voted in support of this bill and accompanying legislation pertaining to the Union Board Elections.
 - **Bill Tabled**
- Bill 92- Sandoval and Cohen - Redefining major offices in student body statutes to reduce conflicts of interest between the branches of student government. Would affect most bureau and agency positions not covered currently by statutes such as WSU's director of administration which gets confirmed and would generally be considered the secretary of the agency (a current major office) but under a different name. It would also affect the Clerk of the Court for FSU's Supreme Court and reduce its status of major office. Students currently holding more than one major office at the time of this statute change will not be required to resign and may keep their positions to the end of their terms.
 - Introduction: Sandoval and Cohen: Thank you for your time, we would just like to say we appreciate what you said, reached out to FLI and OGA, IRHC, the goal of the bill is to follow the US constitution, it is unethical to hold major offices in

separate branches of government. Amended proviso language of the bill to ensure everyone currently in multiple major offices are exempt from the bill, this bill would resolve conflicts of interest, they are categorized appropriately as major offices, any elected official elected by the student body, and make decisions who effect the student body. Yield: 0:57

○ Round Table

- England: Justices of the Supreme Court, does that include the Chief Justice?
 - Yes
- Alvarez: The Purpose and Description: understanding the application of the 14th amendment, all laws must apply equally, it is in the best interest for the SGA to have it say “upon the certification of the Spring Election”
- Gerdts: I would just say that I don’t find the amendment to the Spring election necessary, this doesn’t effect OGA or board members, not grandfathering people in
- Sandoval: we have the proviso language to say after the end of the fall election
- Anna Grace: if you change it to Spring Elections, this would not work for the board of directors, that could end in may, you’re asking half the board to resign before FSU day at the capitol, this would fracture the board in the middle of the year
- Levin: I am against this bill, i do not believe that this bill encourages involvement, people who are involved and want to get another positions won’t be able too and wouldn’t apply to multiple positions without time, we have standards and pick the best person for the job, the U.S. constitution, when you’re in the military you take an oath of office, cannot talk bad about politicians, you can be a legislator at the same time as a commissioned officer, Brigader General is considred a major position in the US constitution. It’s hard to get people involved
- Sandoval: the spring election is mid march, it would be severing the board, this only goes into effect one time
- Anna Grace: OGA does more than just lobby the legislature, in the case there is a special session, we still have the same issue, this year we are planning federal trip which is in march and april, creates another problem, all the voter initiatives happen before these, this puts OGA at major disadvantage, cuts people off and ruins initiatives of My board
- Sandoval: as the bill currently stands, it says 72nd student senate, I wanted proviso
- Cohen: based on the constitutionality of the argument, IRHC creates a conflict of interest, you cannot adequately represent multiple groups with competing interests, there are 12 positions, personally feel that of all students, better way to increase involvement
- Anna Grace: only 3 senators on OGA board, part of the advantage of having a senator on the OGA board is to secure a sponsor on the board, and to have someone to update OGA, it is an unspoken expectation is to not fill the board with Senators, its at the discretion of the director, against having no senators allowed on the board, limiting involvement in OGA
- Leckie: I think that when you have huge groups that come and ask for money, it is a big conflict of interest that you as a senator votes for that. I think we can always advertise these positions better. I would like to amend this bill in the proviso language.

- Sandova: the calendar thing is not the best idea, the original intent was so that nobody has to resign, “those positions that will be considered major positions can keep both offices until the end of their terms”, goes into effect for people going into those positions
- Durham: while OGA board is here, these deals with many groups in SGA that are not here, effects a lot of people, certain positions may be effected that are unaware, i find it important for a senator to sit on the board for the agenda to pass, liaisons have not been thorough, many conversations is being biased, senator and director are completely different things, as a senator you’re supposed to be involved on campus, trying to take away biases is impossible, taking away positions from people who have a passion for things, this effects many people across the student body, something limited should not be considered a major office, this is the purpose of senate, this isn’t about me, this is about future students, while we do follow the US constitution, this is SGA
- Anna Grace: I think that the bill has good intentions, some positions should not be in senate, bringing in the rest of the organizations should not be included, I resigned from senate, the board of directors is not the same as one of the three director positions, leaving it at director, assistant directors, and deputy directors is enough
- Sandoval: i understand the concerns about future students, many of these positions have major impacts on the student body, i went through every position and contemplated what effect each position has on the student body
- Cohen: The liaison position isn’t always great, but its the responsibility of the senate, not bias, conflict of interest, its about who you answer too, what’s important for FSU is what matters, we swore to uphold the constitution of the US when sworn in, contacted multiple agencies, involvement on campus, taking two positions is taking another student’s chance to be involved
- Levin: this is selfish, it doesn’t effect us but future students, i don’t think that we should just think about ourselves, not think about a date, if my RSO tries to request money, i have a bias to give ROTC money, bias and conflict of interest go together, abstention is for conflicts of interest, we would have to make every senator not apart of any organization to have no bias
- Mcauliffe: all senators don’t pass bills alone, this is a group decision, 3 OGA members aren’t going to pass or fail a bill on their own, its important for them to have knowledge and understanding of certian things, this is saying we don’t trust senators to live by the moral standard of not being biased, this is not the USA, this is student government, saying people can’t be involved is just taking away a lesson for people to learn, if there is an incident of bias, i want to learn about these, we have checks and balances and I don't see them so i want to know it this has happened
- Sandoval: I haven’t seen conflict of interest with legislation itself, when senators and OGA board members come through, i feel we should all abstain
- Cohen: conflict of interest vs bias, conflict of interest is more professional, conflict of interest is professional conflicts, Bureaus and agencies are different than RSO’s because they are SGA when we have 3/9 members

is a large number, IRHC as well, this is a bad thing because we are keeping more students out

- Latham: this topic is polarizing, we can go around for an hour and talk about this and nobody will change their mind, bias vs conflict of interest is interesting, i understand where that comes from, if i identify as a certain way, i would have a bias, and if i'm apart of that organization it would be a conflict of interest, what we are passionate about outside of senate already creates bias, no unbiased vote, besides voting, is there any instance where there is a conflict of interest?
 - Cohen: we're all friends here, there are 40,000 students here, a ton are interested in politics, its harder to get more opinions on the legislative agenda, we are not representing the interests of the student body, we should not be holding the same levels of power in multiple government agencies
- Anna Grace: when you're putting together the board of directors, not looking at senate involvement, i look at what each person is involved with and where they have connections too, everyone will tell you about how they are passionate or what they're interested in, senate is another thing on their resume, its not why they're on the board, if they can bring the experience of senate that is good
- Sandoval: I didn't mean to imply you intentionally choose senators, people here have at least two years left in school, i personally don't think this would limit your choice
- Gerdt: I would like to start with the first point, i feel that this committee has put a lot of work into this, this bill was submitted before the proper research and considerations was made, expanding this to portions that it doesn't need too, the bill makes it so that the COGS couldn't serve in OGA, it is uncertain if there is a conflict of interest between COGS and IRHC, COGs has no authority over OGA's budget, this does not solve any real problem, OGA was partially set up so that the legislative agenda did not have to be set up by the entire senate, the senate no longer has a say, except we can veto it, we get the opinion before it comes to the senate, this would be good to have, this bill is too far reaching, what we're doing is talking in circles, to involve every part of campus, about an issue that is minute, chairs already step down when conflicts occur, the senate can handle current conflicts of interest, this committee is spending an hour attempting to save a bill and write it like it should have been written, i am obviously against this bill, I hope the sponsors don't take failure as a sign they shouldn't research this further, this is wide reaching, this is not appropriate, this is a can of worms that is not worth opening
- Sandoval: I disagree, the first iteration of the bill was talking about any major office, sat down with Dr. Acosta, talking about the reach of the bill, most positions aren't changed, elected positions were added, the virtue of a major office has a significant amount of responsibility, open to considering major positions being added or dropped, contacted several major positions, some did not reply, most people wouldn't be effected, open to amendments, we are right about what a major position should be, i feel that these are justified
- Villacorta: Senate has sole legislative authority, there is a lot of focus on OGA, we should focus on how this effects all of SGA, COGS might not be a major office, filling positions by people who are already in SGA is a

problem, we need to open up more offices, people think people in SGA have an advantage over those who aren't, I personally look unfavorable to people who want different positions in different branches, we should stop what conflicts of interest even if they are potential, people shouldn't perform checks and balances on themselves, RSO's are to a lesser extent, anyone who has a conflict of interest should recuse themselves, I hope this is the case, i am not confident that everyone would have Chair Durham's same character, we can measure if someone would be voting to give themselves A/S fees, the student body deserves representatives who don't have a conflict of interest, the US constitutional argument, all statutes are in accordance to the constitution, the committee should not worry about time, debating this for longer is what we are elected to do, i support this bill, it has value, commend the sponsors.

- McAuliffe: wants to call the question because the amendments are pointless, we can make amendments on the senate floor
- Gerdts: the amendment process within the committee, each bill must be in compliance with statutes, it is not the duty of anyone on the committee to make the bill more acceptable to the committee, to some extent this is offloading the responsibility of what the sponsors should do, we need to decide if we approve of this bill, using time of committee to do job of sponsors
- Sandoval: I would like this to get to the floor so the whole senate can discuss or debate it, would be open to amendments
- Closing: Cohen and Sandoval: thank you for your time, the goal of the bill is to include more students, the current writing of the law violates statutes, we contacted everyone, we want it to go to the floor. Yields: 0:20
- Voting:
 - England: Abs (conflicted about the debate)
 - Gerdts: No
 - Latham: No
 - Leckie: Yes
 - McAuliffe: No
 - **Bill Fails - 1-3-1**

New Business:

- Bill 97- Levin- Change to Chapter 206
 - Introduction: Levin: as you can see, this changes statutes, this furthers the anti discriminatory statutes so that no senator should be discredited or faulted for missing something due to a holiday for their religion, the anti-semitic part is to reference florida statutes Yields: 1:57
 - Round Table
 - Gerdts: its rare if anyone is penalized for any reason, this is good
 - England: in pro of the bill, this hasn't been updated for 5 years
 - Harris: this is good, in addition, so we can't hold meetings on holidays
 - Alvarez: why did you only specify anti-semitism?
 - Levin: to keep up with the times with Florida Law, it would be favorable to have it make it to the floor to have the whole senate give opinion
 - Alvarez: there are bills about multiple religions
 - Villacorta: not scheduling major legislation, how do we determine what major legislation is ?

- Levin: any legislation effecting the entire student body
- Gerdts: i agree with what's been said, can we change language to senate meeting, i would like to talk about doing that, does not imply that there is a definition in statutes, we can cancel one week, agree with amending to include more religious discrimination, i think anti semitism is particularly awful, having it named has legitimate purposes
- Levin: its a fine line to work with every religion, how do we further senate if there are always holidays, but different people consider different positions to be larger, tabling this is a good course of action
- England: ***moves to table***

Unfinished Business:

None

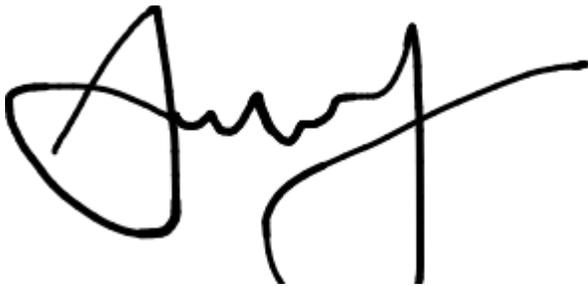
Final Announcements:

Chair Jacobsen: meeting next week October 22nd in the innovation hub, want to see us wrap up everything

Date and Time of Next Meeting:

October 22nd, 2019 at 7:00 p.m. in Innovation Hub 113

Adjourned: 8:56 P.M.

A handwritten signature in black ink, appearing to be 'D. Jacobsen', written in a cursive style. The signature is positioned above a horizontal line.

Signature of Chair